

**Lenore Cernitz  
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St. James, N.Y. 11787**

**Supervisor Patrick Vecchio  
Councilman Thomas McCarthy  
Councilman Edward Wehrheim  
Councilwoman P. atricia Biancaniello  
Councilman Robert Creighton  
Town Clerk Vincent Puleo  
99 West Main Street  
Smithtown, N.Y. 11787**

**April 24, 2009**

**Re: Agenda Item for April 23, 2009; Sts. Philips and James Church Special Event**

**Town Officials,**

**On the heels of my speaking at the April 14, 2009 Town Board Meeting, and writing a follow-up letter in regard to Town Code # 119 that specifies guidelines pertaining to Special Events and the issue of the St. Patrick's Church, I find myself in the same uncomfortable position of forwarding the same people another notice ( now rising to the level of complaint ) as it relates to violations of the Town Code regarding Special Events. The issue begins in the same manner as my alert to the avoidance of responsibility by the St. Patrick's Church and resulted in exposing an alarming issue of traffic hazards. There is a violation when the institution applying for a Special Event does not erect the appropriate signs prior to the "first public hearing".**

**As in the first case, Sts. Philips and James Church ( the second case ) had/has no designated Black and White signs erected on the premises, facing any public street giving notice of the application, the date, time and place before the "first public hearing". For the Township to condone such irresponsible behavior by ignoring it until a letter of complaint is written (but historically no action is taken) is making a mockery of Town Law. Having a policy of allowing applicants the opportunity to be irresponsible when the safety and welfare of the community comes into play; is deceptive and evidence of unequal protection on the part of the Town toward the community at large. I have seen for myself that no signs are displayed. I have looked on the Town web site under Special Events and Parades and no information on where or when the events will be or located. So what does this mean?**

**What it means is, if the public is not aware of an event; no one shows up at a hearing to voice their opinion or concern. If there is no signage announcing a hearing, even one citizen coming to the 1<sup>st</sup> hearing is highly improbable. How easy it was for a clerk to write in the minutes after the hearing that no complaint was heard. The commentary was a betrayal. Every member of the community took a hit. Would it have been better if I came to complain because I knew no one had notification? I think not!**

**Why delude the taxpayers with codes, if applications are not monitored, if guidelines are not adhered to, if the Town doesn't have controls for applicants who have no intention of complying with the conditions as stipulated. What it means is, the Town leadership is weak, shallow, and spurious; in other words a bad second rate government exists.**

**What it means is the issue needs to be addressed both in policy and in the fact of this particular Special Event. If the applicant must begin over, then so be it. If the applicant has all the legitimacy in place to have the event, then there should be no problem in starting over. First the surrounding community where an event will be taking place must be advised of the where and the when of the first hearing.**

**A word to the wise: ignominious elected officials do not go unnoticed. In some cases it takes some people longer to perceive a shifty, evasive dance as doing The Shuffle. The time may be ripe now.**

**Yours truly,**

**Lenore Cernitz**

**CC: Town Attorney Yvonne Lieffrig, Public Safety Director John Valentine  
BC:**